

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED
3/1/21 2:12 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

| | | |
|------------------------------------|---|-------------------|
| IN RE: |) | Case No. 20-23276 |
| |) | Chapter 13 |
| Denise M. Colton, |) | Docket No. 32 |
| <i>Debtor</i> |) | |
| |) | |
| Denise M. Colton, |) | |
| <i>Movant</i> |) | |
| |) | |
| vs. |) | |
| |) | |
| Ronda J. Winnecour, Esq., Trustee, |) | |
| <i>Respondent</i> |) | |

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon the *CONSENT ORDER OF THE DEBTOR FOR POSTPETITION FINANCING* filed by Debtors. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Consent Order* is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:

- (a) the total amount of financing **shall not exceed \$25,000.00**; and
- (b) the monthly payments made under the financing agreement **shall not exceed \$450.00**; and
- (c) the interest rate **shall not exceed 21%**

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within **30 DAYS** of securing such financing, Debtors shall file:

- (a) an amended chapter 13 plan; and
- (b) a report of financing which will include the details of the automobile financing.

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall

make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protection payments to a lender that will be determined at the time of vehicle financing. A consent order providing for adequate protection payments for the new vehicle will be filed within 7 days of vehicle financing providing for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the post-petition vehicle lender.

6. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Julie Frazee Steidl, Esquire

Dated: 3/1/21



GREGORY J. TADDONIO ^{hct}
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:

Denise M. Colton
Julie Frazee Steidl, Esquire
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

Consented to:

/s/ Kate DeSimone
Kate DeSimone, Esquire
Office of the Chapter 13 Trustee

/s/ Julie Frazee Steidl
Julie Frazee Steidl, Esquire
Attorney for the Debtors

In re:
Denise M. Colton
Debtor

Case No. 20-23276-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 01, 2021

User: lfin
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db | + Denise M. Colton, 544 Jefferson Rd, Pittsburgh, PA 15235-3725 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2021 at the address(es) listed below:

| Name | Email Address |
|-------------------------------------|---|
| Brian Nicholas | on behalf of Creditor LAKEVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com |
| Julie Frazee Steidl | on behalf of Debtor Denise M. Colton julie.steidl@steidl-steinberg.com leslie.nebel@steidl-steinberg.com;abby.steidl@me.com;cgoga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com |
| Keri P. Ebeck | on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com |
| Office of the United States Trustee | ustregion03.pi.ecf@usdoj.gov |
| Ronda J. Winnecour | cmecf@chapter13trusteedpa.com |

District/off: 0315-2

User: lfin

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Date Rcvd: Mar 01, 2021

Form ID: pdf900

Total Noticed: 1

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 6